

1 Joseph H. Harrington
2 United States Attorney
3 Eastern District of Washington
4 Thomas. J. Hanlon
5 Richard C. Burson
6 Assistant United States Attorneys
7 402 E. Yakima Avenue, Suite 210
8 Yakima, Washington 98901
9 (509) 454-4425

FILED IN THE U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FEB 11 2020

SEAN F. MCAVOY, CLERK
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YAKIMA, WASHINGTON

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12
13 v.
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15 JAMES DEAN CLOUD and
16 DONOVAN QUINN CARTER CLOUD,

17 Defendants.
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1:19-CR-02032-SMJ

SECOND SUPERSEDING INDICTMENT

Vio: 18 U.S.C. §§ 2119, 2
Carjacking
(Count 1)

18 U.S.C. § 924(c)(1)(A)(i), (ii)
Brandishing of a Firearm During a
Crime of Violence
(Counts 2, 3, 6)

18 U.S.C. §§ 2109, 1153, 3559(f)(2)
Kidnapping
(Count 4)

18 U.S.C. §§ 113(a)(3), 1153
Assault with a Dangerous Weapon
(Count 5)

18 U.S.C. §§ 1111, 1153, 2
First Degree Murder
(Count 7)

18 U.S.C. § 924(c)(1)(A)(i), (ii)
Discharge of a Firearm During a Crime of
Violence
(Count 8)

The Grand Jury charges:

COUNT 1

On or about June 8, 2019, in the Eastern District of Washington, the
Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER
CLOUD, took a motor vehicle, to wit: a 2007 Chevrolet Silverado, that had been
transported, shipped, and received in interstate and foreign commerce from J.V. by
force, violence, and intimidation, with the intent to cause death and serious bodily
harm, all in violation of 18 U.S.C. §§ 2119, 2.

COUNT 2

On or about June 8, 2019, in the Eastern District of Washington, the
Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence,
for which he may be prosecuted in a court of the United States, to wit: Carjacking,
in violation of 18 U.S.C. § 2119, as alleged in Count 1 of this Second Superseding

1 Indictment, did knowingly use, carry, brandish, and possess in furtherance of the
2 Carjacking, a firearm, all in violation of 18 U.S.C. § 924(c)(1)(A)(i), (ii).

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4 COUNT 3

5 On or about June 8, 2019, in the Eastern District of Washington, the
6 Defendant, DONOVAN QUINN CARTER CLOUD, during and in relation to a
7 crime of violence, for which he may be prosecuted in a court of the United States,
8 to wit: Carjacking, in violation of 18 U.S.C. § 2119, as alleged in Count 1 of this
9 Second Superseding Indictment, did knowingly use, carry, brandish, and possess in
10 furtherance of the Carjacking, a firearm, all in violation of 18 U.S.C. §
11 924(c)(1)(A)(i), (ii).
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14 COUNT 4

15 On or about June 8, 2019, in the Eastern District of Washington, the
16 Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER
17 CLOUD, both Indians, who were not parents, grandparents, brothers, sisters, aunts,
18 uncles, or individuals having legal custody of Minor A, did unlawfully kidnap,
19 abduct, confine, and carry away and hold for ransom or reward or otherwise a
20 person identified as Minor A for a vehicle, and Minor A had not then attained the
21 age of eighteen years, all within the boundaries of the Yakama Nation Indian
22 Reservation, in Indian Country; in violation of 18 U.S.C. §§ 1201(a)(2), (g)(1),
23 1153, and 3559(f)(2), 2.
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COUNT 5

On or about June 8, 2019, in the Eastern District of Washington, within the boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendant, JAMES DEAN CLOUD, an Indian, did knowingly assault J.V. with a dangerous weapon, that is, a firearm, with intent to do bodily harm; in violation of 18 U.S.C. § 113(a)(3), 1153.

COUNT 6

On or about June 8, 2019, in the Eastern District of Washington, the Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence, for which he may be prosecuted in a court of the United States, to wit: Assault with a Dangerous Weapon, in violation of 18 U.S.C. §§ 113(a)(3), § 1153, as alleged in Count 5 of this Second Superseding Indictment, did knowingly use, carry, brandish, and possess in furtherance of the Assault with a Dangerous Weapon, a firearm, all in violation of 18 U.S.C. § 924(c)(1)(A)(i), (ii).

COUNT 7

On or about June 8, 2019, in the Eastern District of Washington, within the external boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendant, JAMES DEAN CLOUD, an Indian, willfully, deliberately, maliciously, and with premeditation and malice aforethought, did unlawfully kill

1 D.O. by shooting him with a rifle, and did aid and abet the same; all in violation of
2 18 U.S.C. §§ 1153, 1111, 2.

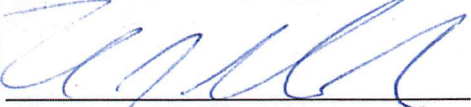
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4 COUNT 8

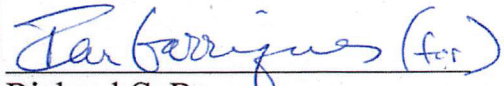
5 On or about June 8, 2019, in the Eastern District of Washington, the
6 Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence,
7 for which he may be prosecuted in a court of the United States, to wit: First Degree
8 Murder, in violation of 18 U.S.C. §§ 1111, 1153, as alleged in Count 7 of this
9 Second Superseding Indictment, did knowingly use, carry, brandish, possess, and
10 discharge in furtherance of the First Degree Murder, a firearm, all in violation of
11 18 U.S.C. § 924(c)(1)(A)(iii).
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14 DATED: February 11, 2020

15 A TRUE BILL
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19 William D. Hyslop
20 United States Attorney

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22 Thomas J. Hanlon
23 Assistant United States Attorney

24  (for)
25 Richard C. Burson
26 Assistant United States Attorney
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